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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/488,275 | 01/20/2000 | Thomas R Eames | P722CONT | 4219 |

26853 7590 04/25/2003

COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2401

EXAMINER

CHUNG, JASON J

| ART UNIT | PAPER NUMBER |
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2611

DATE MAILED: 04/25/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/488,275

Applicant(s)

EAMES ET AL.

Examiner

Jason J. Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-85 is/are rejected.
- 7) ☒ Claim(s) 42 and 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 5 of U.S. Patent No. 6,317,884. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 of the instant application recites receiving a video signal, which is met by the limitation of receiving asynchronous transfer mode cells in claim 1 of the patent; constructing and transporting in claim 1 of the instant application, which met by the limitation of extracting and transmitting respectively, in claim 1 of the patent; decoding in claim 1 of the instant application, which is met by the both limitations of decoding in claim 1 of the patent; transmitting in claim 1 of the instant application, which is met by the limitation of claim 5 of the patent. Claim 1 of the instant application recites the additional limitation of receiving at least one channel select command from at least one remote control device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 1,5 of US Patent #

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6,317,884 to have a remote control select channels at the residential gateway in order to control the televisions from a distance with mobility.

Allowance of claim 1 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 1 and 5 of US Patent # 6,317,884, therefore, obviousness type double patenting is appropriate.

Claim 16 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 11 and 12 of U.S. Patent No. 6,317,884. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 16 of the instant application recites a network interface module, which is met by the limitation of a network interface module, an MPEG bus, and receiving channel change commands in claims 11,12 of the patent; means for constructing in claim 16 of the instant application, which met by the limitation of extracting a series of MPEG video packets, in claim 11 of the patent; a plurality of video processors in claim 16 of the instant application, which is met by the both limitations of video processors in claim 11 of the patent; a video packet bus for transporting in claim 16 of the instant application, which is met by the limitation of an MPEG bus for transporting in claim 11 of the patent; a receiver in claim 16 of the instant application, which is met by the limitations in claim 12 of the patent. Claim 16 of the instant application recites a receiver, which is met by the limitation of a receiver in claim 12 of the patent, but fails to disclose directly receiving. Claim 16 of the instant application recites the additional limitation of a receiver for directly receiving channel select commands from remote control devices. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 11,12 of US Patent # 6,317,884 to directly receive channel select commands at the

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residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

Allowance of claim 16 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 11, 12 of US Patent # 6,317,884, therefore, obviousness type double patenting is appropriate.

Claim 31 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, and 4 of U.S. Patent No. 6,317,884. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 31 of the instant application connecting, which is met by the limitation of receiving and both limitations of decoding in claim 1 of the patent; selecting a television channel in the instant application, which is met by the limitation of claim 2 of the patent; transmitting the at least one channel select command in the instant application, which is met by trigger a change in the contents of ATM cells received via twisted pair in claim 2 of the patent; converting in the instant application, which is met by the limitation of extracting in claim 1 of the patent; receiving a video signal in the instant application, which is met by receiving channel change commands triggering a change of ATM cells in claim 2 of the patent and receiving ATM cells at residential gateway from a telecommunications network in claim 1 of the patent; decoding in the instant application, which is met by both limitations of decoding in claim 1 of the patent; transmitting to the television signal to the appropriate television in the instant application, which is met by both limitations of compatible with a analog television set, but fails to disclose transmitting. Claim 31 of the instant application recites the additional limitation of transmitting to the appropriate television set. It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to modify claims 1, 2, and 4 of US Patent # 6,317,884 to transmit the television signal to the appropriate television in order for the user to watch a program on the television.

Allowance of claim 31 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 1, 2, and 4 of US Patent # 6,317,884, therefore, obviousness type double patenting is appropriate.

Claim 48 is rejected under the judicially created doctrine of double patenting over claims 11, 12 of U. S. Patent No. 6,317,884 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: claim 48 of the instant application recites connectors, which is met by the limitation of the first and second television set in claim 1 of the patent; receiver in claim 48 of the instant application, which is met by the limitation in claim 12 of the patent; network interface module for transmitting signals including channel select commands in claim 48 of the instant application, which met by the network interface module in claims 11 and 12 of the patent; means for converting and the video decoders in claim 48 of the instant application, which is met by the both limitations of video processors in claim 11 of the patent.

Allowance of claim 48 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 11 and 12 of US Patent # 6,317,884, therefore, double patenting is appropriate.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim 67 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 6,317,884. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 67 of the instant application recites receiving channel select commands have been met by the limitations of claim 3 of the patent; receiving, at a network interface module in the instant application, which has been met by the limitation of receiving ATM cells from the telecommunications network connected to the residential gateway in the patent; transporting in the instant application, which has been met by the limitation of transmitting; processing in the instant application, which has been met by both limitations of decoding in the patent. Claim 16 of the instant application recites the additional limitation transmitting to each television set. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 1-3 of US Patent # 6,317,884 to transmit to each television set in order for the user to view the channel selection they requested.

Allowance of claim 67 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 1-3 of US Patent # 6,317,884, therefore, obviousness type double patenting is appropriate.

Claim 71 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 11 and 12 of U.S. Patent No. 6,317,884. Although

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the conflicting claims are not identical, they are not patentably distinct from each other because claim 71 of the instant application recites a remote control module, which is met by the limitations in claim 12 of the patent; a network interface module of the instant application, which is met by a network interface module in claim 11 of the patent and channel select commands in claim 12 of the patent; a video processor in the instant application, which is met by both limitations of video processors in claim 11 of the patent. Claim 71 of the instant application discloses a receiver; claim 12 of the patent discloses receivers. Claim 71 of the instant application recites the additional limitation of a receiver for **directly** receiving channel select commands from remote control devices. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 11,12 of US Patent # 6,317,884 to directly receive channel select commands at the residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

Allowance of claim 71 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 11, 12 of US Patent # 6,317,884, therefore, obviousness type double patenting is appropriate.

Claim 79 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 11 and 12 of U.S. Patent No. 6,317,884. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 79 of the instant application recites a network interface module, which is met by a network interface module in claim 11 of the patent and the receiver in claim 12 of the patent; a main MPEG processor for decoding video signals in the instant application, which is met by the limitation of a first video processor processes the series of MPEG video packets in claim 11 of

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the patent and an infrared receiver in claim 12 of the patent, but fails to disclose the S video port; an optical receiver in the instant application, which is met by an infrared receiver in claim 12 of the patent, but fails to disclose **directly** receiving; a bus for transferring in the instant application, which is met by an MPEG bus for transporting the series of MPEG video packets in claim 11 of the patent. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 11,12 of US Patent # 6,317,884 to have an S-video format in order to comply with the well known S-video standard. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 11,12 of US Patent # 6,317,884 to directly receive channel select commands at the residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

Allowance of claim 79 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 11, 12 of US Patent # 6,317,884, therefore, obviousness type double patenting is appropriate.

Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 4, and 7 of U.S. Patent No. 6,493,875.

Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 of the instant application recites receiving at least one channel select command, which is met by the limitation of claim 3 of the patent; receiving a video signal in response to the channel select command in the instant application, which is met by trigger a change in the ATM cells received via the twisted wire pair; constructing in the instant application, which is met by

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extracting in claim 1 of the patent and receiving in claim 3 of the patent; transporting in the instant application, which is met by transmitting in claim 1 of the patent, decoding in the instant application, which is met by decoding in claim 1 of the patent. Claim 1 of the instant application recites the additional limitation of transmitting the television signal to the television. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 1, 3, 4, and 7 of US Patent # 6,493,875 to transmit the television signal to the television in order to provide the user television programming.

Allowance of claim 1 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 11, 12 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim 16 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 20 of U.S. Patent No. 6,493,875. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 16 of the instant application recites a receiver, which is met by the limitation of a receiver for receiving channel change commands claim 20 of the patent, but does not disclose directly receiving; a network interface module in the instant application, which is met by a network interface module in claim 20 of the patent and channel change commands in claim 20 of the patent; means for constructing in the instant application, which is met by extracting MPEG video packets in claim 20 of the patent; a plurality of video processors in the instant application, which is met by a plurality of video processors in claim 20 of the patent; a video packet bus in the instant application, which is met by a MPEG bus in claim 20 of the patent. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claim 20

of US Patent # 6,493,875 to directly receive channel select commands at the residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

Allowance of claim 16 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 20 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim 31 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 4, and 7 of U.S. Patent No. 6,493,875. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 of the instant application recites connecting, which is met by the limitation of receiving ATM cells at said residential gateway from telecommunications network in claim 1 of the patent and the first and second analog television sets in claim 1 of the patent read on a plurality of devices; selecting a television channel in the instant application, which is met by claim 7 of the patent; transmitting the at least one channel select command in the instant application, which is met by the limitation of triggering a change in claims 3,4 of the patent; receiving a video signal in the instant application, which is met by the limitation of receiving ATM cells in claim 1 of the patent and triggering a change in claim 3 and 4 of the patent; converting in the instant application, which is met by the limitation of extracting a series of MPEG video packets in claim 1 of the patent; decoding in the instant application, which is met by decoding in claim 1 of the patent. Claim 31 of the instant application recites the additional limitation of transmitting the at least one television signal to the appropriate television. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

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modify claims 11,12 of US Patent # 6,493,875 to transmit the television signal to the appropriate television in order to provide the viewer with their channel selection.

Allowance of claim 31 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 1, 3, 4, 7 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim 48 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 20 of U.S. Patent No. 6,493,875. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 48 of the instant application recites connectors, which is met by the limitation of a network interface module connected to a telecommunications network in claim 20 of the patent and the plurality of televisions in claim 20 of the patent; receiver in the instant application, which is met by the limitation of a receiver for receiving channel change commands in claim 20 of the patent, but fails to disclose directly receiving; a network interface module in the instant application, which is met by the network interface module in claim 20 of the patent and receiving channel change commands in claim 20 of the patent; means for converting in the instant application, which is met by extracting MPEG video packets in claim 20 of the patent; video decoders in the instant application, which is met by a plurality of video processors for processing MPEG packets and creating analog signals for the associated televisions in claim 20 of the patent. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claim 20 of US Patent # 6,493,875 to directly receive channel select commands at the residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

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Allowance of claim 48 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 20 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim 67 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 4, and 7 of U.S. Patent No. 6,493,875.

Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 of the instant application recites receiving channel select commands, which is met by the limitation of claim 3, 4 of the patent; receiving at a network interface module in the instant application, which is met by receiving ATM cells at said residential gateway from a telecommunications network in claim 1 of the patent; transporting in the instant application, which is met by transmitting the series of MPEG video packets over an MPEG bus; processing the transported video signal in the instant application, which is met by decoding the series of MPEG video packets to produce a first analog television signal compatible with a first analog television set in claim 1 of the patent and transmitting the wireless signal to a remote receiver for decoding for a second analog television set in claim 1 of the patent and claim 7 of the patent.

Claim 67 recites the additional limitation of transmitting the television signals to each television. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 11,12 of US Patent # 6,493,875 to transmit the appropriate television signals to the appropriate televisions in order to ensure the viewer receives to appropriate channel selection.

Allowance of claim 67 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 1, 3, 4, and 7 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim 71 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14, 16 of U.S. Patent No. 6,493,875. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 71 of the instant application recites a receiver, which is met by the limitation of a receiver for receiving channel change commands in claims 14, 16 of the patent, but fails to disclose directly receiving; a remote control module in the instant application, which is met by a video processor and a wireless module in claim 14 of the patent; a network interface module in the instant application, which is met by a network interface module connected to a telecommunications module in claim 14 of the patent and receiving channel change commands that trigger a change of the ATM cells received in claim 16 of the patent; a video processor in the instant application, which is met by the limitation of a video processor and a wireless module in claim 14 of the patent and the infrared receiver (close) and the wireless receiver (remote) in claim 16 of the patent. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 14, 16 of US Patent # 6,493,875 to directly receive channel select commands at the residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

Allowance of claim 71 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claims 14, 16 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim 79 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14, 16 of U.S. Patent No. 6,493,875. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 79 of the instant application recites a network interface module, which is met by the limitation of a network interface module connected to a telecommunications network in claim 14 of the patent and receiving channel change commands in claim 16 of the patent; a main MPEG processor for decoding in the instant application, which is met by an MPEG bus for transporting a series of MPEG video packets to a first video processor and to a wireless module in claim 14 of the patent and the infrared receiver for receiving channel change commands from a remote control associated with a first television (close) set in claim 16 of the patent, and a wireless receiver for receiving channel change commands from a remote control associated with a second television, but fails to disclose S-video; an optical receiver in the instant application, which is met by an infrared receiver in claim 16 of the patent, but fails to disclose directly receiving; a bus for transferring signals in the instant application, which is met by an MPEG bus for transporting the series of MPEG video packets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 14, 16 of US Patent # 6,493,875 to have S-video in order to comply with the well known S-video standard. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 14, 16 of US Patent # 6,493,875 to directly receive channel select commands at the residential gateway in order to ensure the signal is not lost in any broken intermediate devices that relay the signal to the residential gateway.

Allowance of claim 79 would result in an unwarranted time-wise extension of the monopoly previously granted for the invention defined by claim 14, 16 of US Patent # 6,493,875 therefore, obviousness type double patenting is appropriate.

Claim Objections

Claims 42-43 are objected to because of the following informalities: claims 42-43 recite the limitation, "a plurality of video decoders". There is no antecedence for "wherein the plurality of decoders". The examiner interprets claims 42-43 to state "wherein the at least one video decoder" similar to corresponding claims 10-11. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 10, 13, 15, 31, 35-39, 42, 45, 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Ehreth.

Regarding claim 1, Ehreth discloses having a plurality of television sets in each of a plurality of remote sites 104 (column 2, lines 59-67 and column 3, lines 1-10), which meets the limitation on having televisions in at least two separate locations. Ehreth discloses a television set 100 located by itself, which reads on a first television close in proximity; and remote site 104,

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which reads on a second television remotely located (figure 1). The examiner incorporates this interpretation of close in proximity and remotely located hereinafter for the rejected claims in the Office Action.

Ehreth discloses the user may enter user input information to the channel selector and signaling unit 50 through a remote selector 70, the unit 50 communicates with the communications controller 30 (residential gateway) via network 90 (column 3, lines 65-67 and column 4, lines 1-12). Ehreth discloses remote selector transmits information sends user input information to the channel selector and signaling unit 50 and sends the upstream signals to upstream signaling receiver 80 associated with the communications controller 30 (residential gateway) (column 4, lines 13-23).

Ehreth discloses the multiple site video distribution system receives video information from a telecommunications network and the communication controller transmits selected video signals from the video information onto a video signal distribution network; the channel selector and signaling unit sends user input information to the communication controller (residential gateway) over the video signal distribution network and the communication controller selects the appropriate video signal in response to the user input information (column 1, lines 44-60); Ehreth discloses the network 40 provides requested data and video signals to the multi-site location 102 (residential environment) (column 3, lines 15-23), which meets the limitation on receiving a video signal from a telecommunications network in response to the received at least one channel select command.

Ehreth discloses the communications controller 30 includes network interface that conducts ATM cell management and generation activities and further converts ATM cells

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carrying MPEG encoded video to an analog format (column 3, lines 23-34); in MPEG, which meets the limitation on constructing, transporting, and decoding. Ehreth discloses the downstream signals sent from the communications controller to the television are analog (column 3, lines 35-50), which meets the limitation on transporting.

Regarding claims 2-4, as disclosed in claim 1 rejections, the video information received is ATM cells carrying MPEG encoded video and it is converted into analog at the network interface 32 and sent to televisions downstream, the encoded MPEG is decoded into an analog signal and sent to the television.

Regarding claim 10, as disclosed in claim 1 rejections, the encoded MPEG signal is decoded and converted into analog; the MPEG decoder reads on a main video decoder.

Regarding claim 13, as disclosed in claim 1 rejection, Ehreth discloses the encoded MPEG video signal is converted into analog and sent downstream; the analog signal is sent to the remote site 104, which represent different parts of a residential dwelling and comprises a television (column 2, lines 59-67 and column 3, lines 1-10), which meets the limitation on a television in close proximity.

Regarding claim 15, Ehreth discloses televisions (plurality of devices) connected to channel selection unit 50 [network 90 and channel selection and signaling unit 50 (connectors)] are connected to communication controller (residential gateway) (figure 1). Ehreth discloses the user enters user input information using remote selector 70 and the information is sent to communications controller 30 (residential gateway) via unit 50 and network 90 (column 3, lines 65-67 and column 4, lines 1-23). Ehreth discloses in response to the desired channel selection the upstream signaling receiver receives video information and transmits the video information

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downstream to the appropriate television set (column 4, lines 44-62); there are a plurality of televisions and the viewer can watch different programming than another viewer watching a separate television, the MPEG packets for the different programs (different formats, first and second) are decoded in different formats and sent to the viewers in close proximity of the residential gateway and remotely located from the residential gateway.

Regarding claim 31, the limitations in claim 31 have been met in claim 1 rejection.

Regarding claims 35-39, Ehreth discloses the user inputs into the channel selector and signaling unit 50 through a remote selector 70 and the user input information is transmitted on video signal distribution network 90 and information signals includes video channel selection, which meets the limitation on selecting a television channel for remotely located televisions by programming associated remote control devices to transmit channel select command to remotely located televisions; remote selector 70 uses infrared radiation (column 3, lines 65-67 and column 4, lines 1-12). **Ehreth discloses even though shown as a separate unit, the television set 100 and channel selector and signaling unit may be incorporated within or integrated into television set 100** (column 3, lines 2-3). Ehreth discloses the user input information is transmitted upstream to communications controller 30 (residential gateway) (column 4, lines 13-24). Ehreth discloses the channel selector and signaling unit receives (optical receiver) user input information entered by a user from remote selector (column 4, lines 17-19).

Regarding claim 42, the limitations in claim 42 have been met in claim 10 rejection.

Regarding claim 45, the limitations in claim 45 have been met in claim 13 rejection.

Regarding claim 47, the limitations in claim 47 have been met in claim 15 rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 7, 8, 40, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin.

Regarding claim 5, Ehreth discloses the remote selector 70 may be used in any other suitable signal transmission media for entering user input information (column 4, lines 5-12). Ehreth fails to disclose a wireless receiver in the residential gateway receiving signals from a remote control. Hamlin discloses the system controller (residential gateway) (column 5, lines 17-21). Hamlin discloses a remote controller sends electromagnetic signals (wireless) such as infrared or radio signals to a transceiver (wireless receiver) connected to the system controller 38 (residential gateway) (column 6, lines 8-17); the signal is directly sent to the transceiver, which is part of the gateway. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to have the residential gateway have a wireless receiver receiving electromagnetic signals such as infrared signals or radio signals from a remote control as taught by Hamlin in order to provide versatility, mobility while communicating with the gateway.

Regarding claims 7-8, Ehreth discloses the remote selector 70 may be used in any other suitable signal transmission media for entering user input information (column 4, lines 5-12). Ehreth fails to disclose a wireless receiver in the residential gateway receiving infrared signals

from a remote control. Hamlin discloses the system controller (residential gateway) (column 5, lines 17-21). Hamlin discloses a remote controller sends electromagnetic signals such as infrared signals to a transceiver (receiver) connected to the system controller 38 (residential gateway) (column 6, lines 8-17); the signal is directly sent to the transceiver, which is part of the gateway. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to have the residential gateway have a wireless receiver receiving electromagnetic signals such as infrared signals or radio signals from a remote control as taught by Hamlin in order to provide versatility, mobility while communicating with the gateway.

Regarding claim 33, the limitations in claim 33 have been met in claim 5 rejection.

Regarding claims 40-41, the limitations in claims 40-41 have been met in claims 7-8 rejections.

Claims 6, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin and in further view of Tigwell.

Regarding claim 6, as disclosed in claim 5 rejection, Hamlin discloses a remote controller sends electromagnetic signals (wireless) such as infrared or radio signals to a transceiver (wireless receiver) connected to the system controller 38 (residential gateway) (column 6, lines 8-17). Neither Ehreth nor Hamlin discloses the electromagnetic signal from the remote being an UHF signal. Tigwell discloses a remote control emits UHF signals (column 5, lines 22-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have the electromagnetic signals from the remote control transmit UHF signals as taught by Tigwell in order to comply with FCC regulations of using a band in the UHF spectrum.

Regarding claim 34, the limitations in claim 34 have been met in claim 6 rejection.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Martin.

Regarding claim 9, as disclosed in claim 1 rejection, Ehreth discloses the remote and local televisions and channel select commands corresponding to each television. As disclosed in claim 5 rejection, Hamlin discloses a transceiver 40 (remote control receiver) coupled to system controller 38 (residential gateway) (figure 1) for receiving remote control 42 signals. Neither Ehreth nor Hamlin discloses two different types of receivers within the residential gateway. Martin discloses the satellite receiver 12 (residential gateway) receives infrared signals from RF/IR remote unit 16 and can receive RF signal via RF antenna 20 (column 3, lines 4-15, figure 1); the user can communicate remotely with the satellite receiver (residential gateway) **directly** (incorporated hereinafter in corresponding claims) via IR/RF, the user can communicate in proximity via RF or IR. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have two types of receivers as taught by Martin in order to give the user more versatility on the type of communication to use. Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have two types of receivers as taught by Martin in order to give the user more mobility for the user to communicate from nearby or remote. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have two types of receivers as taught by Martin in order to give the user a more robust system in the scenario of one receiver breaks down, the other will work.

Claims 11 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth.

Regarding claim 11, as disclosed in claim 1 rejection, Ehreth discloses a decoder. Ehreth fails to disclose an insertable decoder. The examiner takes Official notice that insertable cartridges are notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to make the decoder insertable in order to provide mobility to the decoder by being able to interchange the decoder in multiple gateways in different locations.

Regarding claim 43, the limitations in claim 43 have been met in claim 11 rejection.

Claims 12, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of White.

Regarding claim 12, as disclosed in claim 1 rejection, Ehreth discloses an MPEG signal is converted into an analog signal. White discloses the decoded MPEG signal is an S video signal (column 4, lines 4-14). It would have been obvious to one of skill in the art at the time the invention was made to modify Ehreth produce a television signal having an S video format as taught by White in order to produce better picture quality.

Regarding claim 44, the limitations in claim 44 have been met in claim 12 rejection. As disclosed in claim 1 rejection, there are a series of ATM cells in MPEG format (packets).

Claims 14, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Bindlish.

Regarding claim 14, as disclosed in claim 1 rejection, Ehreth discloses a MPEG decoder. Ehreth fails to disclose decoding with three separate channels. Bindlish discloses the composite video signal is decoded by MPEG decoder into a YUV signal (three separate channels) (column

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3, lines 48-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to have the MPEG decoder decode the composite video signal into a YUV signal as taught by Bindlish in order to produce better picture quality, which produce component signals (3 separate channels).

Regarding claim 46, the limitations in claim 46 have been met in claim 14 rejection.

Claims 16-20, 22, 23, 25, 28, 48-50, 52-55, 57, 60, 63, 66, 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen.

Regarding claims 16, 19, and 25, the limitations in claim 16 have been met in claim 1 rejection. The limitation for directly receiving has been met in claims 7-8 rejections. As disclosed in claim 1 rejections, Ehreth discloses MPEG signals are converted into analog signals, which meets the limitation on a main MPEG video decoder. Ehreth discloses a network interface 32 (network interface module) that receives video signals from a telecommunications network (column 3, lines 11-34). Neither Ehreth nor Hamlin discloses a plurality of processors. Nguyen discloses a C box (residential gateway) provides conversion of digital to analog with (column 1, lines 59-65). Nguyen discloses a plurality of decompression and analog network adapters 111-114 (processors or decoders) that transmits compressed digital streams and converts the stream into analog and sends to a user (column 3, lines 38-59). Nguyen discloses advantages in overcoming prior art include being able to support more end users (column 1, lines 18-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have a plurality of processors for decoding as taught by Nguyen in order to distribute the load of decoding among multiple decoders in order to provide video to multiple users.

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Regarding claim 17, the limitations in claim 17 have been met in claim 2 rejection.

Regarding claim 18, the limitations in claim 18 have been met in claim 3 rejection.

Regarding claim 20, the limitations in claim 20 have been met in claim 5 rejection.

Regarding claims 22-23, the limitations in claims 22-23 have been met in claims 7-8 rejections.

Regarding claim 28, the limitations in claim 28 have been met in claim 13 rejection.

Regarding claim 48, the limitations in claim 48 have been met in claim 1 rejection. The limitation for directly receiving has been met in claims 7-8 rejections. Additionally, Ehreth discloses televisions (plurality of devices) connected to channel selection unit 50 [network 90 and channel selection and signaling unit 50 (connectors)] are connected to communication controller (residential gateway) (figure 1). Ehreth discloses a network interface 32 (network interface module) that receives video signals from a telecommunications network (column 3, lines 11-34). Neither Ehreth nor Hamlin discloses a plurality of processors. Nguyen discloses a plurality of decompression and analog network adapters 111-114 (processors or decoders) that transmits compressed digital streams and converts the stream into analog and sends to a user (column 3, lines 38-59). Nguyen discloses advantages in overcoming prior art include being able to support more end users (column 1, lines 18-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of Hamlin to have a plurality of decoders as taught by Nguyen in order to distribute the load of decoding among multiple decoders and provide to more end users.

Regarding claim 50, the limitations in claim 50 have been met in claim 5 rejection.

Regarding claim 52, the limitations in claim 52 have been met in claim 35 rejection.

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Regarding claim 53, the limitations in claim 53 have been met in claim 7 rejection.

Regarding claim 54, the limitations in claim 54 have been met in claim 8 rejection.

Regarding claim 55, Ehreth discloses the user inputs into the channel selector and signaling unit 50 through a remote selector 70 and the user input information is transmitted on video signal distribution network 90 and information signals includes video channel selection, which meets the limitation on used by a television located in close proximity (television set not within remote unit 50) to the residential gateway to transmit the channel select commands to the residential gateway; remote selector 70 uses infrared radiation (column 3, lines 65-67 and column 4, lines 1-12). Ehreth discloses even though shown as a separate unit, the television set 100 and channel selector and signaling unit may be incorporated within or integrated into television set 100 (column 3, lines 2-3). Ehreth discloses the user input information is transmitted upstream to communications controller 30 (residential gateway) (column 4, lines 13-24).

Regarding claim 57, the limitations in claim 57 have been met in claim 10 rejection.

Regarding claim 60, as disclosed in claims 1, 10 rejections, the television standing outside of remote site 104 reads on close in proximity, the main video decoder is disclosed in claim 10 rejection.

Regarding claim 63, Hamlin discloses the system controller's 38 (residential gateway) transceiver 40 (remote control module part of the residential gateway) processes the commands from remote control 42 (figure 1, column 3, lines 19-23). The limitation on insertable decoder has been met in claim 11 rejection.

Regarding claim 66, as disclosed in claim 1 rejection, data is sent downstream from broadband network 40 to the communication controller 30 (residential gateway) the user uses a remote to select programming and the requests are sent upstream and the upstream signaling receiver receives the appropriate programming (figure 1), the communication controller 30 (residential gateway) performs the function of a DAVIC module connected to the network and transmitting the signal to the TVs.

Claim 21, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen in further view of Tigwell.

Regarding claim 21, the limitations in claim 21 have been met in claim 6 rejection.

Regarding claim 51, the limitations in claim 51 have been met in claim 6 rejection.

Claims 24, 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Yokota in further view of Martin.

Regarding claim 24, the limitations in claim 24 have been met in claim 9 rejection.

Regarding claim 56, the limitations in claim 56 have been met in claim 9 rejection.

Claim 26, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen.

Regarding claim 26, the limitations in claim 26 have been met in claim 11 rejection.

Regarding claim 58, the limitations in claim 58 have been met in claim 26 rejection.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen in further view of White.

Regarding claim 27, the limitations in claim 27 have been met in claim 12 rejection.

Claim 29, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in view of Nguyen in further view of Bindlish.

Regarding claim 29, the limitations in claim 29 have been met in claim 14 rejection.

Regarding claim 61, the limitations in claim 61 have been met in claim 29 rejection.

Claims 30, 62, 64, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen.

Regarding claim 30, Ehreth discloses televisions (plurality of devices) connected to channel selection unit 50 are connected to communication controller (residential gateway) (figure 1). Ehreth discloses the user enters user input information using remote selector 70 and the information is sent to communications controller 30 (residential gateway) via unit 50 and network 90 (column 3, lines 65-67 and column 4, lines 1-23). Ehreth discloses in response to the desired channel selection the upstream signaling receiver receives video information and transmits the video information downstream to the appropriate television set (column 4, lines 44-62); there are a plurality of televisions and the viewer can watch different programming than another viewer watching a separate television, the MPEG packets for the different programs (different formats, first and second) are decoded in different formats and sent to the viewers in close proximity of the residential gateway and remotely located from the residential gateway. As disclosed in claim 16 rejection, Nguyen discloses a plurality of decoders. The limitations for an insertable decoder have been met in claim 11 rejection.

Regarding claim 62, the limitations in claim 62 have been met in claim 30 rejection.

Regarding claim 64-65, Ehreth discloses converting digital to analog of video signals as disclosed in claim 1 rejection. Ehreth fails to disclose the received signals being voice and data.

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The examiner takes Official Notice that conversion of voice to telephony and data to computer is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth to have the signals converted be voice and data in order to provide analog signals to the devices.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of White.

Regarding claim 32, the limitations in claim 32 have been met in claim 12 rejection, Ehreth discloses a network connecting a communication controller 30 (residential gateway) to a television (figure 1). Neither Ehreth nor White discloses the network being wired cable. The examiner takes Official Notice that wired networks and/or sending S-video via cable to televisions is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ehreth in view of White to have cable in order to insulate transmitted signals without interference from signals in the air.

Regarding claim 49, the limitations in claim 49 have been met in claim 32 rejection.

Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen in further view of White.

Regarding claim 59, the limitations in claim 59 have been met in claim 44 rejection.

Claims 67, 69, 71-75, 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin.

Regarding claim 67, the limitations in claim 67 have been covered in claims 1, 7, and 8 rejections. The limitation on close in proximity and remotely located are not recited have been disclosed in claim 1 rejection. Additionally, Ehreth shows a plurality of television sets and a

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plurality of remotes (figure 1). Ehreth discloses the user selectable settings 52 correspond to different upstream frequency settings (column 4, lines 24-34). Ehreth discloses the upstream signaling receiver receives upstream information signals from channel selector and signaling unit over network 90 and transmits downstream information to the appropriate television set (column 4, lines 51-62), which meets the limitation for processing and transmitting to a first television and second television. Ehreth discloses the network interface 90 (network interface module) as disclosed in claim 48 rejection. Ehreth discloses the user enters user input information using remote selector 70 and the information is sent to communications controller 30 (residential gateway) via unit 50 and network 90 (column 3, lines 65-67 and column 4, lines 1-23). Ehreth discloses in response to the desired channel selection the upstream signaling receiver receives video information and transmits the video information downstream to the appropriate television set (column 4, lines 44-62); there are a plurality of televisions and the viewer can watch different programming than another viewer watching a separate television, the MPEG packets for the different programs (different selection, first and second) are decoded in different formats and sent to the viewers in close proximity of the residential gateway and remotely located from the residential gateway.

Regarding claim 69, the limitation in claim 69 have been met in claims 7-8 rejections.

Regarding claim 71, as disclosed in claim 1 rejection, the television 100 not within 104 reads on the first television located in close proximity and the televisions in remote area 104 read on the second television being a remote television (figure 1). The limitation for the receiver directly receiving selections has been met in claims 7-8 rejections. Ehreth discloses televisions (plurality of devices) connected to channel selection unit 50 [network 90 and channel selection

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and signaling unit 50 (connectors)] are connected to communication controller (residential gateway) (figure 1). Ehreth discloses in response to the desired channel selection the upstream signaling receiver receives video information and transmits the video information downstream to the appropriate television set (column 4, lines 44-62), which meets the limitation on the video processor that produces a first television signal and a second television signal each associated with their respective TVs.

Regarding claim 72, the limitations in claim 72 have been met in claims 7-8 rejections.

Regarding claim 73, the limitations in claim 73 have been met in claim 5 rejection.

Regarding claims 74-75, as disclosed in claim 1 rejection, Ehreth discloses ATM cells being in an encoded MPEG format and the communications controller 30 (residential gateway) performs digital to analog conversion, which meets the limitation on constructing. As disclosed in claim 71 rejection, there are multiple viewers that can watch different programs, which meets the limitation on simultaneously decoding several MPEG streams corresponding to different channels.

Regarding claim 77, the limitations in claim 77 have been met in claim 15 rejection, the different formats in claim 15 are for different televisions.

Claim 68 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of White.

Regarding claim 68, the limitations in claim 68 have been met in claim 12 rejection.

Claim 70 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Nguyen in further view of White.

Regarding claim 70, as disclosed in claim 1 rejection, Ehreth discloses decoding the MPEG signal and producing an analog signal; the limitation on a processor and a module (plurality of decoders) has been met in claim 16 rejection by Nguyen. The limitation on S video has been met in claim 12 rejection.

Claim 76 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of Decker.

Regarding claim 76, Ehreth discloses modulator 34 for modulating the television signals (figure 1 and column 3, lines 40-50). Neither Ehreth nor Hamlin discloses a plurality of modulators. Decker discloses an entertainment and information system (residential gateway) that is installed in a hotel with a number of rooms and TVs (column 4, lines 45-53). Decker discloses modulators 135 (figure 2, column 4, lines 54-67 and column 5, lines 1-5).

Claim 78 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of White.

Regarding claim 78, the limitations in claim 78 have been met in claim 12 rejection.

Claim 79 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of White.

Regarding claim 79, the limitations in claim 79 have been met in claim 1 rejection. Additionally, the limitation for close in proximity and remotely located have been met in claim 1 rejection. The network interface module has been met by Ehreth in claim 16 rejection. The limitation for S video has been met in claim 12 rejection. The limitation for optical receiver has been met in claim 7-8 rejection.

Regarding claim 80, the limitations in claim 80 have been met in claim 5 rejection.

Regarding claims 81-82, the limitations in claims 81-82 have been met in claim 74-75 rejections.

Claim 83 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of White in further view of Decker.

Regarding claim 83, the limitations in claim 83 have been met in claim 76 rejection.

Claim 84 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of White in further view of Nguyen.

Regarding claim 84, as disclosed in claim 48 rejection, Nguyen discloses a plurality of decoders (modules). Ehreth discloses remotely located televisions in claim 1 rejections.

Claim 85 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ehreth in view of Hamlin in further view of White in further view of Nguyen.

Regarding claim 85, the limitations in claim 85 have been met in claim 11 rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 308-6606 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

JJC
April 21, 2003


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